



Attorney Docket No. 434 P053D2

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Scott Adams et al.

Application No.: 10/766,720

Filed: January 27, 2004

For: ELECTROSTATIC ACTUATOR FOR
MICROELECTROMECHANICAL
SYSTEMS AND METHODS OF
FABRICATION

Date of Allowance: April 7, 2006

Confirmation No.: 3457

Examiner: Tamai, Karl I.

Art Unit: 2834

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

on July 3, 2006
Date of Deposit

Christopher P. Marshall

Name of Person Mailing Correspondence

CP Marshall
Signature

7/3/2006
Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CROSS-REFERENCE UNDER 37 C.F.R. § 1.78(a)(2) TO RELATED APPLICATIONS

Sir:

Pursuant to 37 C.F.R. § 1.78(a)(2), applicants hereby cross-reference the following related patents and patent applications:

(1) U.S. patent application no. 09/775,491, filed February 2, 2001, entitled Electrostatic Actuator for Microelectromechanical Systems and Methods of Fabrication, which issued as U.S. Patent No. 6,753,638 B2 on June 22, 2004, and which claims the benefit of provisional patent application no. 60/179,912 filed February 3, 2000;

Adjustment date: 01/30/2009 CKHLOK
09/06/2007 CKHLOK 00000002 022666 10766720
01 FC:1454 1370.00 CR

07/07/2007 CKHLOK 00000005 022666 10766720
01 FC:1454 1370.00 CR

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Issued as U.S. Patent No. 7,098,571
on August 29, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND PURSUANT TO 37 CFR §1.26(a)

Sir:

Applicants respectfully request a refund of a petition fee for the above-identified patent application and entry of the previously submitted Cross-Reference to Related Applications. Applicant filed a Cross-Reference to related applications under 37 CFR §1.78 on July 3, 2006. However, the Cross-Reference was improperly treated as a petition for a delayed claim for priority rather than the intended Cross-Reference to related applications.

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND												
1 Date of Request: <u>01/28/09</u>		2 Serial/Patent # <u>10/766,720</u>										
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT								
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We treated a paper as a petition and charged fee but paper was not actually a petition so petition fee												
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TYPED/PRINTED NAME: <u>Charles Steven Brantley</u>		TITLE: <u>Senior Petitions Attorney</u>										
SIGNATURE:		PHONE: <u>571-272-3203</u>										
OFFICE: <u>Office of Petitions</u>												
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